

ORIGINAL

EX PARTE OR LATE FILED



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON

July 30, 2001

RECEIVED

JUL 30 2001

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

The Honorable John Ensign  
United States Senate  
364 Russell Senate Office Building  
Washington, D.C. 20510

Dear Senator Ensign:

Thank you for your recent letter, which forwarded information and suggestions from the Reno Police Department concerning unintentional 911 calls from wireless phones. The Commission places a high priority on public safety services, and has been working with the public safety community for many years to improve public safety through the use of wireless technology. In response to requests from public safety organizations, for instance, the Commission adopted rules that are scheduled to take effect this year requiring wireless carriers to provide the precise location of wireless 911 calls to 911 dispatchers. We also have required wireless handset manufacturers to implement methods for improving the reliability of wireless 911 call delivery.

The Commission is cognizant of the problems that unintentional 911 calls can cause for public safety organizations. We have encouraged manufacturers to address the unintentional call problem in their handset designs, and have worked with public safety organizations and carriers to find resolutions to this problem when specific instances have been brought to our attention. For example, in response to a problem identified in North Carolina during the past year, one carrier now is providing its customers with free software upgrades to remove 911 speed dial programming from phones currently in service. That carrier also is removing 911 preprogramming from new phones primarily to reduce unintended 911 calls.

The Commission continues to monitor this issue and will consider whether further action is warranted. We have placed your letter with the Reno Police Department recommendations in the Commission's E911 Docket. We welcome public safety, consumer groups, and other interested parties to comment on these recommendations, or present other information and suggestions concerning steps the Commission might take to improve public safety in this and other areas. Thank you for taking the time to express your interest in this critically important issue.

Sincerely,

Michael K. Powell  
Chairman

File of Copies rec'd 41  
ENCLOSURE

JOHN ENSIGN  
NEVADA

# United States Senate

WASHINGTON, DC 20510-2805  
June 21, 2001

WFB  
F411  
PV  
MKP  
2065

The Honorable Michael K. Powell  
Chairman, Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Dear Mr. Chairman:

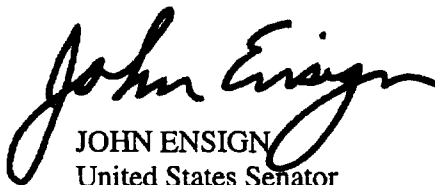
Congratulations on your recent confirmation as Chairman of the Federal Communications Commission (FCC). I look forward to working with you on telecommunications issues before the Commerce Committee.

I want you to be aware of a matter of importance to the state of Nevada—the increasing number of unintended wireless 911 emergency calls. Unintentional emergency calls are not only burdensome to law enforcement, but they also waste valuable emergency response resources. You may be interested to know that the Reno Police Communications Center recently conducted a 15-day study on this issue which determined that between 98 and 99 percent of all emergency calls placed from wireless phones during that time period were unintentional. I am deeply concerned that unintentional wireless emergency calls at this rate pose a significant threat to my constituents with valid emergencies.

The enclosed letter makes a number of recommendations to the FCC in order to address this issue on a national level. I would appreciate your thoughtful consideration of Deputy Chief Johns's comments. I would also appreciate hearing other FCC recommendations on how Congress might best encourage wireless phone manufacturers, service providers, and other interested parties to work together to address this problem. As wireless phone use continues to proliferate across the nation, so will the number of unintentional wireless emergency calls. Action should be taken expeditiously to protect those making valid emergency calls.

I look forward to reviewing your comments on this matter.

Sincerely,

  
JOHN ENSIGN  
United States Senator

10. MAY 11 01 52 AM

JE:wbc  
Enclosure  
cc: Reno Deputy Police Chief Jim Johns

**Jerry L. Hoover**  
*Chief of Police*

## ***Reno Police Department***

**Lt. Jim D. Ballard**  
*Communications Director*

**James F. Johns**  
*Deputy Chief of Police*  
*Communications Commander*

**Toni Giles**  
*Administrative Supervisor*



June 4, 2001

Chairman Michael Powell  
Commissioners Kathleen Abernathy, Michael Copps, Kevin Martin  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D C 20554

Re: Recommendations for consideration/adoption by the F.C.C. to reduce unintentionally dialed 9-1-1 mobile calls.

Dear Commissioners:

The intent of this correspondence is to request the following recommendations be considered for adoption by the Federal Communications Commission in an effort to reduce and eliminate the inordinate number of unintentional cellular/mobile calls received every day by our nations 9-1-1 centers.

The tremendous volume of unintentional wireless 9-1-1 calls is a serious and significant problem that will affect the manner in which our emergency centers handle 9-1-1 calls. The volume is so great that it will be necessary for emergency service providers (police, fire, EMT) to adopt new policies in order to prioritize which incoming mobile calls receive emergency services, and which ones will not.

Today, the majority of law enforcement agencies in America actually respond to "9-1-1 hang ups" by sending police officers to the caller's address. With the number of known false unintentionally dialed 9-1-1 calls from mobile phones, you can see that it will be physically impossible to adequately handle, either by calling the number back, or by sending police/fire personnel to every incoming 9-1-1 mobile call.

Emergency 9-1-1 centers will be faced with the high probability of mishandling a real emergency, because we will have to pick and choose which calls "sound" like an emergency. Another unintended consequence is how this will dramatically increase the workload on our already overworked personnel, possibly causing additional errors that would have otherwise not occurred. Based on data we have obtained, the Reno Police Department estimates we would have to call back a minimum of 70,000 additional calls a year from our center, a task that would be expected of us by the public, but one which we could not achieve.

Currently, our Center, and many others across the country, do not have the ability to "call back" mobile phones since the "caller I.D." information isn't available. As you are keenly aware, Phase One is supposed to provide us that information. We support legislation to implement Phase One and Two, however, we must achieve a significant reduction, and ultimate elimination of unintentionally dialed mobile calls. Otherwise, Phase One and Two legislation will be of no help in making our 9-1-1 centers more efficient, and will certainly not make the public safer, which is the goal in the first place.

Many law enforcement agencies are currently struggling with the question as to how to best address this issue. We know of at least one large law enforcement agency who tried sending incoming mobile 9-1-1 calls to a "phone tree," in order to "screen out" the unintentionally dialed 9-1-1 calls due to the overwhelming volume. This system required the caller to "press any button now" before it would allow the call to be processed as a 9-1-1 call. This system is no longer in use by that agency for various reasons, but illustrates what 9-1-1 Centers are faced with due to the number of false calls.

This is the type of option we will be forced to consider IF we don't take immediate action to reduce the number of unintentionally dialed mobile 9-1-1 calls. Another option that will have to be considered is simply not sending emergency resources to mobile 9-1-1 emergency calls, unless it can be confirmed as a "call for help." You can see that none of these options are desirable, and again, this is why we stress it is essential to immediately require action by the wireless industry who is solely responsible for these huge volumes of unintentional mobile 9-1-1 calls.

We ask that you consider adopting, in one form or another, the following recommendations:

**RECOMMENDATIONS:**

**\*Wireless carriers to provide 9-1-1 education at the time of sale and/or when the service is opened, and include general educational material in monthly statements;**

**\*There should be a section in each monthly billing dedicated to the number of 9-1-1 calls made by the users phone number. This is needed since many mobile phone users aren't even aware they made an unintentional emergency phone call, and 9-1-1 calls are not listed on monthly statements. It is reasonable to assume that users who see this on their bills will inquire further with their service provider.**

**\*Wireless carriers should be required to provide each Public Safety Answering Point (PSAP) with a monthly breakdown of all 9-1-1 calls, to include the callers phone number, contact information, and number of times that a particular phone called 9-1-1;**

**\*Each wireless carrier should be assessed a "false call fee" for their failure to reduce the number of unintentional 9-1-1 calls by their subscribers. This will be incentive for companies to seriously address this important problem. The fee can be based on numbers of false calls or on percentages;**

**\*The wireless manufacturers should be required to stop production of the "one touch" emergency key and deactivate those in existence. It is believed this one feature is responsible for the majority of unintentional 9-1-1 calls;**

**\*Manufacture phones with exposed keypads to "auto lock" to prevent unintentional dialing;**

**\*Manufacturers should be required to allow all mobile phones the ability to enter additional numbers once 9-1-1 is dialed. Some emergency centers have attempted to reduce unintentional 9-1-1 calls by sending them to a "phone tree" in order to eliminate the unintentionally dialed calls. Some phones do not allow the caller to press other keys once 9-1-1 is called and then disconnected;**

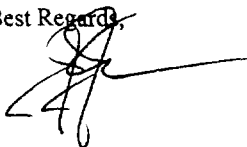
**\*FCC regulations are needed to prevent new technologies from auto-forwarding calls to 9-1-1. Examples: "On Star," auto dialing 9-1-1 from ATM's, etc . . . Our centers are going through a similar path where "burglar alarms" were once automatically forwarded to 9-1-1 Centers before legislation made the practice illegal.**

**\*Require wireless carriers to determine which types/styles of current phones are responsible for the majority of unintentional calls by their customers and take action to prevent unintentional calls.**

**\*F.C.C. to continue implementation for wireless companies with existing Phase One and Two requirements and create a new condition which will require a 75% reduction of unintentional 9-1-1 calls by the wireless industry no later than October 2001.**

The Reno Police Department is committed to saving lives and ensuring our 9-1-1 system is operating at peak efficiency. We believe adopting these recommendations in some fashion, and entertaining additional regulations will allow our 9-1-1 centers to better serve our communities. We thank you for your time.

Best Regards,



Deputy Chief James F. Johns  
Reno Police Communications Commander

cc: Chief Thomas J. Sugrue  
Mr. Dan Grosh, Senior Attorney  
NENA/APCO/Wireless Carriers  
Senators Ensign/Reid/Representatives Gibbons/Berkley  
Communications/Commerce Committees